

CHAPTER NO. 438

HOUSE BILL NO. 1385

By Representatives Armstrong, McDaniel, Pruitt

Substituted for: Senate Bill No. 1662

By Senators Ford, Atchley

AN ACT to amend Tennessee Code Annotated, Section 68, Part 11, relative to licensure and regulation of renal dialysis clinics.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-201, is amended by adding the following as a new appropriately designated definition:

() "Renal dialysis clinic" means any institution, facility, place or building devoted to the provision of renal dialysis on an outpatient basis to persons diagnosed with end stage renal disease.

SECTION 2. Tennessee Code Annotated, Section 68-11-202(a)(1), is amended by inserting the language "renal dialysis clinics," immediately following the language "birthing centers, prescribed child care centers,"

SECTION 3. Tennessee Code Annotated, Section 68-11-202(c)(1), is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center,"

SECTION 4. Tennessee Code Annotated, Section 68-11-204(a)(1), is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center, prescribed child care center,"

SECTION 5. Tennessee Code Annotated, Section 68-11-204(b) is amended by inserting the language "renal dialysis clinics," immediately following the language "homes for the aged,"

SECTION 6. Tennessee Code Annotated, Section 68-11-204(c), is amended by inserting the language "renal dialysis clinics," immediately following the language "birthing centers, prescribed child care centers,"

SECTION 7. Tennessee Code Annotated, Section 68-11-206(a), is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center, prescribed child care center,"

SECTION 8. Tennessee Code Annotated, Section 68-11-206(a)(1) is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center, prescribed child care center,"

SECTION 9. Tennessee Code Annotated, Section 68-11-206(a)(4) is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center, prescribed child care center,"

SECTION 10. Tennessee Code Annotated, Section 68-11-206(a)(5) is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center, prescribed child care center," wherever it appears.

SECTION 11. Tennessee Code Annotated, Section 68-11-209(a) is amended by inserting the language "renal dialysis clinics," immediately following the language "birthing centers, prescribed child care centers,"

SECTION 12. Tennessee Code Annotated, Section 68-11-209(c)(1), is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center, prescribed child care center,"

SECTION 13. Tennessee Code Annotated, Section 68-11-210(a)(1) is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center, prescribed child care center,"

SECTION 14. Tennessee Code Annotated, Section 68-11-213(a)(1) is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center, prescribed child care center,"

SECTION 15. Tennessee Code Annotated, Section 68-11-213(a)(2) is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center, prescribed child care center,"

SECTION 16. Tennessee Code Annotated, Section 68-11-213(b)(1) is amended by inserting the language "renal dialysis clinic," immediately following the language "birthing center, prescribed child care center,"

SECTION 17. Tennessee Code Annotated, Section 68-11-216(b)(1) is amended by inserting the language "renal dialysis clinics" immediately following the language "birthing centers, prescribed child care centers"

SECTION 18. Tennessee Code Annotated, Section 68-11-204(a)(1), is amended by adding the following sentence at the end of the subsection:

Licensure for renal dialysis clinics shall begin on July 1, 2002.

SECTION 19. Tennessee Code Annotated, Subsection 68-11-209(a), is further amended designating the existing subsection "a" as "(a)(1)" and by adding the following language as a new subdivision "(a)(2)":

(2) For renal dialysis clinics, any rules promulgated after July 1, 2001, but before January 1, 2004, shall not be implemented until January 1, 2004. In addition to any filing or hearing required by Tennessee Code Annotated, Title 4, Chapter 5, regarding such initial rules for renal dialysis clinics, the department shall file a notice of proposed rulemaking concerning such rules promulgated pursuant this act with the house health and human resources committee and the senate general welfare, health and human

resources committees at least thirty (30) days prior to the filing of such rules with the secretary of state pursuant to Tennessee Code Annotated, Title 4, Chapter 5. The department shall present the substance of such rules in hearings before the previously named committees before the hearing of such rule by the government operations committees. No rule may be filed with the secretary of state, unless the department has complied with the provisions of this section.

SECTION 20. This act shall take effect July 1, 2001, the public welfare requiring it.

PASSED: June 29, 2001




JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 9th day of July 2001



DON SUNDQUIST, GOVERNOR